



September 6, 2019

Re: Emerald BioEnergy, LLC
Additional Response to Notice of Violation
(NOV)
NPDES
Morrow County
4IN00204

Ms. Betsy L. VanWormer, P.E.
Environmental Specialist III
Ohio EPA Division of Surface Water

Subject: Additional Responses to NOV

Ms. VanWormer,
Please see Renergy's responses below to the email requesting additional information to resolve the NOV sent to us on August 13, 2019. We have also attached additional documents as referenced in the responses below.

Violation 1

Your response to this violation stated that the company takes specific measures to incorporate the biosolids where turns are made, and that multiple inspections and photos documented that full injection was achieved at the Blue Church Road fields. The response also included an updated Land Application Standard Operating Procedure (SOP) that states land application equipment will be designed and maintained to ensure that biosolids are applied correctly and will be calibrated regularly.

To resolve this violation, please provide the following:

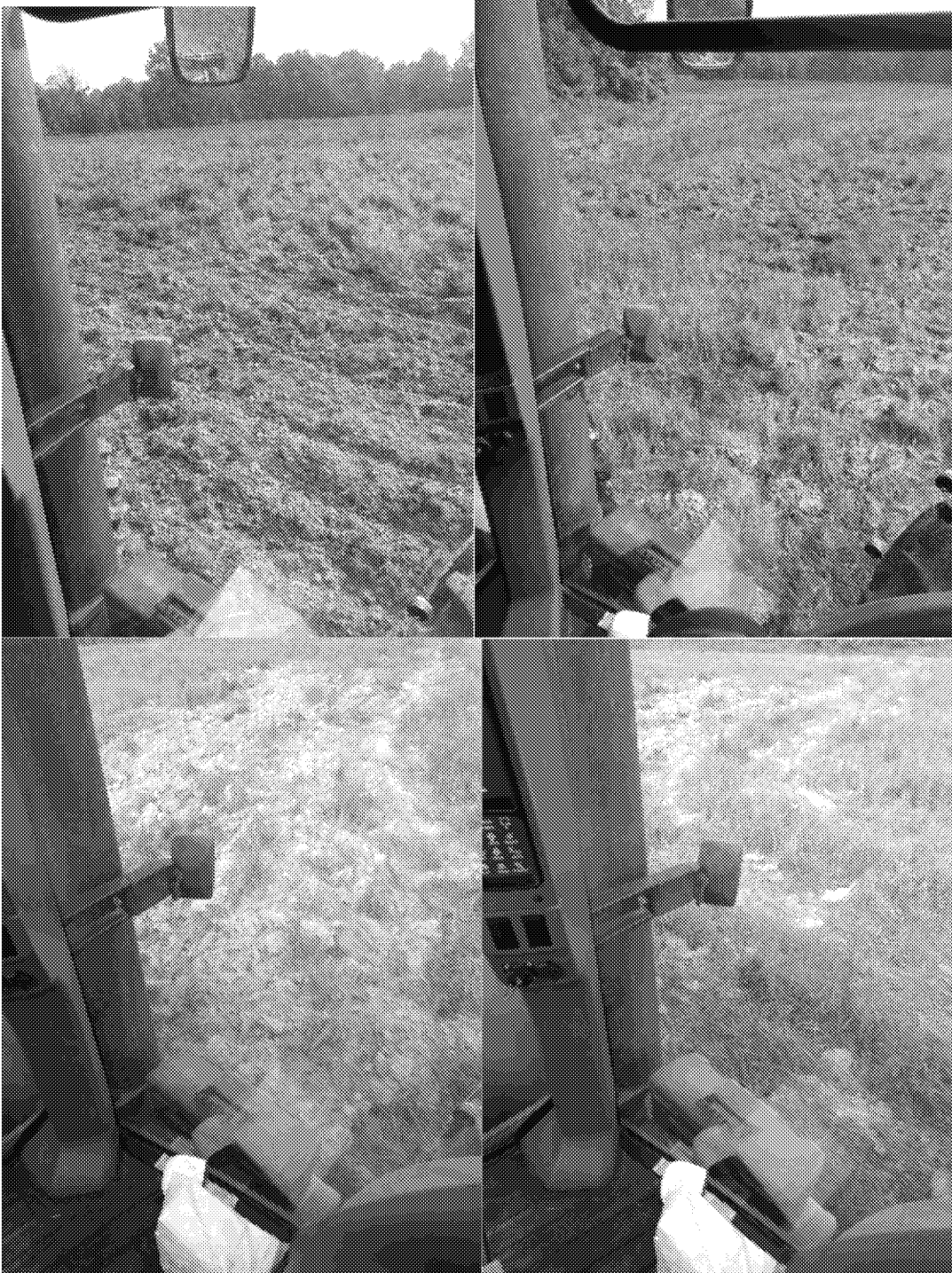
1. Confirmation of full incorporation at both Blue Church Road fields (dates of incorporation and available photographs).
2. An update to the Land Application SOP to address how correct land application is confirmed, i.e. an end of day field check form that includes observations of the area that was applied that day and action that may have been taken to correct any observed deficiencies.
3. SOPs for best management practices for injecting or incorporating biosolids on fields with hay or grass.
4. SOPs that describe how often land application equipment is calibrated and that these records must be maintained.

Renergy's Response:

1. As stated in our first response on August 21st, biosolids were incorporated on site at both Blue Church Road fields as deemed acceptable by Ohio EPA. Renergy found no evidence that it was not injected per standards set forth by the OEPA. Please see the photos below taken on July 30th during land application and then on August 16th when we voluntarily had the farmer and our operator plow the field so everyone could see that all biosolids were properly injected. OEPA was present on that day as well. The August 16th photos were taken prior to plowing showing proper injection had already taken place. Therefore, we see no reason for additional response.



August 16th Photos:





2. Please see the updated Land Application SOP to review added language regarding end of day checks.
3. To date we have yet to find any rules or regulations stating any differences on managing injection with fields covered with grasses or cover crops, so Renergy will continue to follow best management practices already listed in our SOP.
4. We have included within our Land Application SOP how often the land application equipment is calibrated and how records are stored. The updated SOP is attached.

Violation 2

Your response to this violation stated that the agronomic rates for the Blue Church Road fields were performed prior to land application but could not be accessed when requested and included agronomic rate summaries (date, calculated dry tons per acre, average% total solids, and target gallons per acre).

To resolve this violation, please provide the agronomic rate calculations that were performed prior to land application and referenced in your NOV response. These calculations were requested in the NOV but only summaries were provided. To date, we have only received calculation sheets that were performed after land application. The calculations shall include, at a minimum, the items listed in OAC 3745-40-09(C)(4)(e). Ohio EPA's agronomic rate worksheet may be used for this purpose.

Renergy's Response:

Please see the attached agronomic rate calculations that were performed prior to land application.